IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)
THURSDAY THE TWENTY SECOND DAY OF NOVEMBER
TWO THOUSAND AND SEVEN
:PRESENT:
THE HON'BLE SRI JUSTICE GODA RAGHURAM

WRIT PETITION NO : 6852 of 1997

Between:

Dr. B. Krishna Reddy.

.....

Petitioner

AND

1. Sri Venkateswara University, Tirupati, rep. by its Registrar.
2. The Executive Council, S.V. University, Tirupati, rep. by the Vice – Chancellor.
3. Govt. of A.P., rep. by the Secretary, Education Department, Hyderabad.
4. Dr. P. Sreenivasula Reddy, Reader Department of Bio – Technology, S.V. U. College of Arts and Sciences, Tirupati – 2.
5. Dr. M. Dhananjayula Naidu, Lecture, Department of Bio – Technology, S.V. U. College of Arts and Sciences, Tirupati – 2.
1. Dr. C. Varadarajula Naidu, Lecturer, Department of Bio – Technology S.V. U. College of Arts & Sciences, Tirupathi – 2.
2. Dr. V. Ravi Naidu, Asst. Director – Cum – Lecturer Directorate of Distance Education, S.V. University, Tirupati – 2.
3. Dr. G. Janaki Ramaiah, Asst. Director – Cum – Lecturer Directorate of Distance Education, S.V. University, Tirupati – 2.
4. Smt. S. Thavvamani, Asst. Directorate of Distance Education, S.V. University, Tirupati.
5. Mr. K. Purnachandra Rao, Co – ordinating Officer, Directorate of Distrance Education Tirupathi – 2.
11. Mr. B. Sudheer, Senior Project Leader Entrepreneurship Development Cell, S.V. U. College of Engineering Tiruapthi – 2.
12. Dr. B. Amaranath, Project Leader, Entrepreneurship Development Cell, S.V. U. College of Engineering Tiruapthi – 2.
13. Miss T. Bharathi, Senior Research Assistant, Entrepreneurship Development Cell, S.V. U. College of Engineering Tiruapthi – 2.

....Respondents

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue writ, order or direction in the nature of Mandamus declaring the action of the first respondent of the University in issuing and acting upon Advertisement No. E II (2) 96 (Temporary) dated 20-11-1996 and Advertisement No. E II (2)/ADVT/IASE – CSS/97 – (!) dated 22-2-1997 as illegal and arbitrary and unjust. Consequentially declare the appointments of respondents 4 to 13 as illegal and void.

The petition coming on for hearing, upon perusing the petition and the affidavit filed herein and the order of the High Court dated 03-04-1997, 31-01-2007 and 7-2-2007 made in WPMP. No. 8201 of 1997 and upon hearing the arguments of Sri P.V. Sanjay Kumar, Advocate for the Petitioner and of Sri Sriramulu Naidu, S.C. for S.V. University for the Respondent Nos.1 and of the Govt. Pleader for Higher Education, for the Respondent No. 3, and of Sri O. Manohar Reddy, Advocate on behalf of the Respondent No. 4, Smt Jhansi, Advocate for the Respondents 7 to 10, the Court made the following

ORDER:

"First respondent is directed to file an affidavit on the following

aspects:

a) **Record relating to the Selection of the 7th respondent as Assistant Director-cum-Lecturer (English methods) in the School of Distance Education; the correspondence relating to the Chairman, State Council of Higher Education issuing a certificate that the Diploma (Post Graduate Diploma in teaching English from the CIEFL) of the 7th respondent is equivalent to B.Ed.; what is the basis for seeking the equivalence certificate from the Chairman, State Council for Higher Education; and what the authority of the SCHC to declare such equivalence?**

b) **If P.G/Ph.D in Statistics is an equivalent/eligible qualification to a post in Mathematics (regarding R-14), why is not Ph.D in Social Anthropology (of Petitioner) equivalent to Ph.D. in Sociology was the petitioner1s Ph.D. in Social Anthropology assessed by any Expert and if so what is the record. Also the record disclosing the assessment that Statistics is equal to Mathematics.**

c) **On what basis the 5th respondent`s M.Sc., in Molecular Physiology was treated as equivalent to a P.G. Degree in Molecular Biology, for appointment as Lecturer in Bio-Technology. What is the basis for determining or rejecting equivalence in respect of the petitioner; the 5th respondent; and the 7th respondent? Is there any protocol followed by the 1st respondent University for determining/assessing equivalence.**

d) **Power of the University or Selection Committee to relax age prescription (of R-10 for appointment as Co-ordinating Officer in School of Distance Education).**

e) **How was R-8 (G.Janakiramaiah) appointed as Assistant Director-cum-Lecturer in the School of Distance Education treated as under B.C. Category (as pleaded in University's additional counter dated 26-6-1998) in view of no such reservation specified in the advertisement dated 20-11-1996.**

f) **How was the additional post of Assistant Director-cum-Lecturer in the School of Distance Education (created by E.C`s resolution dated 5-3-1997) treated as an O.C. Vacancy? What is the roster point followed (See Additional Counter of R.1 dated 26-6-1998).**

g) **Since all the posts advertised are specified to be temporary and the posts in SDE are also funded from self generated funds and not to be treated as University service, why was reservation followed for SDE Posts and not for Bio-Technology and EDC?**

h) **Are the appointments continued from 1997 to 2007 and on what basis? What is the current status of these appointees-respondent Nos.4 to 15?**

List after two weeks."

SD/-N.S.N. CHARY
ASSISTANT REGISTRAR

// TRUE COPY //

for ASSISTANT REGISTRAR

To

1. **The Registrar, Sri Venkateswara University, Tirupati, Chittoor District.** The Executive Council, S.V. University, Tirupati, rep. by the Vice – Chancellor.
2. The Secretary, Education Department, Govt. of A.P., Hyderabad.
3. Dr. P. Sreenivasula Reddy, Reader Department of Bio – Technology, S.V. U. College of Arts and Sciences, Tirupati – 2.
4. Dr. M. Dhananjayula Naidu, Lecture, Department of Bio – Technology, S.V. U. College of Arts and Sciences, Tirupati – 2.
5. Dr. C. Varadarajula Naid, Lecturer, Department of Bio – Technology S.V. U. College of Arts & Sciences, Tirupathi – 2.
6. Dr. V. Ravi Naidu, Asst. Director – Cum – Lecturer Directorate of Distance Education, S.V. University, Tirupati – 2.
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10. Mr. B. Sudheer, Senior Project Leader Entrepreneurship Development Cell, S.V. U. College of Engineering Tiruapthi – 2.

11. Dr. B. Amaranath, Project Leader, Entrepreneurship Development Cell, S.V. U. College of Engineering Tiruapthi – 2.
12. Miss T. Bharathi, Senior Research Assistant, Entrepreneurship Development Cell, S.V. U. College of Engineering Tiruapthi – 2.
13. Two CCs to the Govt. Pleader Higher Education, High Court of A.P., Hyderabad. (BY SPECIAL MESSENGER)

15. One CC to Sri P. V.Sanjay Kumar, Advocate (OPUC)

16. One CC to Sri Sriramulu Naidu, Advocate, High Court of A.P., Hyderabad (BY SPECIAL MESSENGER)

17. One spare copy.

MVJ.

HIGH COURT

GR,J

DATED: 22-11-2007

NOTE: LIST AFTER TWO WEEKS.

ORDER

W.P.NO.6852 OF 2007

EXTENSION

MVJ
DRAFTED ON 24-11-2007

HIGH COURT

GR,J

DATED: 22-11-2007

NOTE: LIST AFTER TWO WEEKS.

ORDER

W.P.NO.6852 OF 2007

EXTENSION